

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: :
Leonard M. Rieco : Chapter 13
: Case No.: 21-10367-AMC
Debtor(s) :

MOTION TO MODIFY PLAN AFTER CONFIRMATION

Debtor, by and through the undersigned counsel, hereby moves this Honorable Court to Modify their Chapter 13 Plan and in support thereof avers as follows:

1. Debtor filed a Chapter 13 Petition on February 15, 2021.
2. The Chapter 13 Plan was confirmed on August 24, 2021.
3. Debtor and their non-filing spouse financed a 2016 Ford Focus from Valley National Bank on or about December 2016.
4. Valley National Bank filed Secured Proof of Claim #10-1 on April 22, 2021 in the amount of \$12,630.90. The Confirmed Chapter 13 Plan considered this secured claim and was scheduled to be cured in total through the Plan.
5. Debtor, by and through the undersigned counsel, filed a Motion to Determine Value of the 2016 Ford Focus.
6. As this is a shared loan, while the debtor benefits from the vehicle “cram down,” his spouse will be responsible for the unsecured portion of debt not cured through the Chapter 13 Plan.
7. The debtor wishes to pay off this loan directly to Valley National Bank and in its entirety.
8. Debtor has paid \$2,224.00 to the Chapter 13 Trustee to date.

9. The debtor's Modified Chapter 13 Plan shall include payments in the amount of \$329.00 over the remaining 52 months for a new base amount of \$19,332.00. The Modified Chapter 13 Plan has been attached as Exhibit "A."
10. Debtor is aware they must remain current on all post-petition payments due to Valley National Bank in order to avoid any future attempts by Valley National Bank to modify the automatic stay by seeking relief through this Honorable Court or any such actions thereof.

WHEREFORE, the Debtor, by the undersigned counsel, respectfully requests this Honorable Court to enter an Order Modifying the Chapter 13 Plan, removing Valley National Bank as a recipient of scheduled payments as the debtor wishes to make payments directly per the previously contracted loan agreement.

Dated: November 3, 2021

/s/Brad J. Sadek, Esq.
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